

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

In re:)	
)	Case No. Case No. 15-00081-5-SWH
Advanced Lighting Technologies, LLC,)	
)	Chapter 11
Debtor.)	

**EMERGENCY MOTION FOR ORDER AUTHORIZING
DEBTOR TO PAY WAGES ACCRUED PRE-PETITION, FOR
ORDER SHORTENING NOTICE TIME, AND REQUEST FOR
HEARING**

NOW COMES Advanced Lighting Technologies, LLC, the Debtor (hereinafter "Debtor" or "ALT"), by and through counsel, and respectfully requests authorization to pay pre-petition wages and, in support thereof, shows unto the Court the following:

1. ALT is an electrical construction company with 17 employees. ALT remains operational and open for business for its customers.
2. ALT filed a voluntary petition for relief pursuant to Chapter 11, Title 11 of the United States Code (the "Bankruptcy Code") in the Eastern District of North Carolina on January 6, 2015 to facilitate reorganization and the continuation of business.
3. This motion is filed simultaneously with the petition. This Court has jurisdiction to consider this motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding within the meaning of 28 U.S.C. § 157.
4. ALT requests authority to honor and pay obligations for work performed pre-petition by its employees. This pre-petition work allowed for wage claimants to accrue gross wages which would not be paid in the ordinary course of business until after the filing of the petition. Based upon the normal pay cycles for the payment of wages and salaries, ALT is duly obligated for pre-petition wages and applicable payroll taxes in the amount of approximately \$20,000.00, although these amounts are subject to weekly variance.
5. To the extent these wages would be considered pre-petition claims, all such wages would be entitled to 11 U.S.C. § 507(a)(4) priority wage claim status. To the extent these employee obligations are executory contracts under 11 U.S.C. § 365, it is in the best interest of the estate for the same to be assumed

6. ALT anticipates that to the extent wage claims identified herein are priority wage claims, they would receive payment of 100% even if this case were in a Chapter 7 proceeding and the assets were liquidated for the benefit of creditors. Therefore, creditors will not be prejudiced if the Debtor's request for authorization to pay such claims at this time is allowed
7. A necessity of payment exists in this case in order to prevent immediate and irreparable harm to this reorganization in an amount greatly in excess of the Debtor seeks to pay, and such payment is essential to maximize the return on the value of the assets in this case. If the Debtor were to fail to make all wage payments requested herein, then in all likelihood the affected employees would quit and not provide further assistance to the Debtor. The authorization sought herein will also minimize the personal hardship on the affected employees which would occur if pre-petition wage claims are not paid.
8. The payment as requested herein is in the best interest of creditors, the Debtor, and the Debtor's employees, and is essential to the successful reorganization for the purpose of maximizing business of the Debtor. The Court has the authority to authorize payment of claims described in the foregoing motion to the extent they are determined to be pre-petition claims under the circumstances set out herein pursuant to the authority granted to the Bankruptcy Court under Title 11 of the United States Code, including 11 U.S.C. §§ 105, 363, 365, 365, 507, 1107 and 1108.
9. Given the nature of the emergency as outlined herein and the facts and circumstances in this case, the relief requested can be granted on an emergency basis with limited or no further notice and does not prejudice the rights of the parties in interest in this matter.

WHEREFORE, the Debtor prays that the Court enter an order authorizing ALT to pay the pre-petition wage claims asset set forth herein; and (iv) for such other and further relief as the Court deems just and proper.

This, the 7th day of January, 2015.

JORDAN PRICE WALL GRAY JONES & CARLTON, PLLC

By: /s/Philip W. Paine
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Attorneys for the Debtor

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

In re:)	
)	Case No. Case No. 15-00081-5
ALT SERVICES GROUP,)	Chapter 11
)	
Debtor)	

**NOTICE OF MOTION AND
HEARING**

NOTICE IS HEREBY GIVEN OF THE Debtor's Emergency Motion for Order Authorizing Debtor to Pay Wages Accrued Pre-Petition, for Order Shortening Notice Time, and Request for Hearing which seeks an expedited hearing regarding Debtor's request for authorization to pay pre-petition wages; and

FURTHER NOTICE IS HEREBY GIVEN that a hearing may be conducted on the Motion and responses thereto on 14th January, 2015 at the United States Bankruptcy Court for the Eastern District of North Carolina located at Wilmington, North Carolina 28401 beginning at 11:00 AM.

This, the 7th day of January, 2015.

JORDAN PRICE WALL GRAY JONES & CARLTON, PLLC

By: /s/Philip W. Paine
Philip W. Paine
NC State Bar No.: 31710
Post Office Box 10669
Raleigh, NC 27605
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Attorneys for the Debtor

CERTIFICATE OF SERVICE

The undersigned does hereby certify that copies of the foregoing EMERGENCY MOTION FOR ORDER AUTHORIZING DEBTOR TO PAY WAGES ACCRUED PRE-PETITION, FOR ORDER SHORTENING NOTICE TIME, AND REQUEST FOR HEARING and NOTICE thereof have been served upon each of the parties listed below via Electronic Service and/or US Mail on January 8, 2015.

Top 20 Unsecured Creditors

Marjorie K. Lynch
Bankruptcy Administrator
Eastern District of North Carolina
434 Fayetteville Street
Suite 640
Raleigh, NC 27601

Date: January 7, 2015

/s/Philip W. Paine
Philip W. Paine
Jordan Price Wall Gray Jones & Carlton, PLLC

EMPLOYMENT SECURITY
COMMISSION
PO BOX 26504
RALEIGH, NC 27611

US ATTORNEY
310 NEW BERN AVENUE,
SUITE 800
FEDERAL BUILDING
RALEIGH, NC 27601

BB AND T
PO BOX 1847
WILSON NC 27894

C.E.S. (CITY ELECTRIC
ACCOUNTS-RAL)
P. O. BOX 16707
GREENSBORO, NC 27416

CITY OF HENDERSON
P. O. BOX 1434
HENDERSON, NC 27536

ECK SUPPLY COMPANY
P. O. BOX 890250
CHARLOTTE, NC 28289

FASTENAL
P. O. BOX 978
WINONA, MN 55987

GREGORY POOLE
P. O. BOX 60457
CHARLOTTE, NC 28260

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY
OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101

U. S. BANKRUPTCY COURT
ROOM 209, 300 FAYETTEVILLE
STREET
P.O. DRAWER 1441
RALEIGH, NC 27602

BB&T CREDIT CARDS
632 DABNEY DRIVE
HENDERSON, NC 27536

CED
P. O. BOX 1510
CARY, NC 27512-1510

CRYSTAL SPRINGS
P. O. BOX 660579
DALLAS, TX 75266-0579

ELECTRIC SUPPLY & EQUIPMENT
COMPANY
P. O. BOX 601118
CHARLOTTE, NC 28260

FRED'S TOWING & TRANSPORT, INC.
400 INDUSTRY DRIVE
HENDERSON, NC 27537

HILTI INC
PO BOX 382002
PITTSBURGH, PA 15250

NC DEPARTMENT OF REVENUE
OFFICE SERVICES DIV.,
BANKRUPTCY UNIT
PO BOX 1168
RALEIGH, NC 27602

AHERN RENTALS
P. O. BOX 271390
LAS VEGAS, NV 89127

BCBS OF NC
P. O. BOX 580017
CHARLOTTE, NC 28258

CAROLINA OFFICE SYSTEMS
12345 REESE BLVD. WEST
SUITE #130
HUNTERSVILLE, NC 28078

DENTAL BLUE SELECT
ATTN: BILLING DEPARTMENT
P. O. BOX 2400
WINSTON SALEM, NC 27102

EXPRESS EMPLOYMENT
PROFESSIONALS
P. O. BOX 535434
ATLANTA, GA 30353

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CINCINNATI, OH 45274

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TERMINIX
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FAYETTEVILLE, NC 28302

VANCE COUNTY TAX
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122 YOUNG STREET
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WELLS FARGO
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CAROL STREAM, IL 60197

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